

Appl. No. : 10/824,052  
Filed : April 14, 2004

### REMARKS

This is responsive to the Examiner's Office Action mailed May 24, 2007. By way of summary, the Office Action asserted that the Claims 5-11 were directed to eight distinct species pertaining to the type of filtration means disposed within the flow path. The Office Action stated that the species are independent or distinct because they call for distinct materials for filtering aqueous humor in a glaucoma treatment device. It was also asserted that Claim 3 is currently generic.

Applicants do not necessarily agree with the characterization of the claims or disclosure, but in order to expedite prosecution, Applicants elect, without traverse, Claim 6, which corresponds to the species of filter made with cellulose, for prosecution on the merits. Upon the allowance of generic Claim 3, Applicants understand that they will be entitled to consideration of Claims 5 and 7-11.

### CONCLUSION

Applicants have made a good faith effort to respond to the outstanding Office Action. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is cordially invited to contact Applicants' attorney, at the telephone number below, to resolve any such issues promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 6/26/07

By: 

Walter S. Wu  
Registration No. 50,816  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404

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